7U

UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,986	06/25/2003	Anthony J. Wasilewski	A-9233	3781

5642   7590   06/21/2007

SCIENTIFIC-ATLANTA, INC.
INTELLECTUAL PROPERTY DEPARTMENT
5030 SUGARLOAF PARKWAY
LAWRENCEVILLE, GA 30044

EXAMINER
CHAI, LONGBIT

ART UNIT	PAPER NUMBER
2131	

NOTIFICATION DATE	DELIVERY MODE
06/21/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PTOmail@sciatl.com

	Application No.	Applicant(s)
Office Action Summary	10/602,986	WASILEWSKI ET AL.
	Examiner	Art Unit
	Longbit Chai	2131

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>01 June 2007</u>.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>1-22</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>1-22</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>05 June 2003</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☐ All b) ☐ Some * c) ☐ None of:

        1. ☐ Certified copies of the priority documents have been received.

        2. ☐ Certified copies of the priority documents have been received in Application No. _____.

        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

1.   Presently, pending claims are 1 – 22.

Response to Argument

2.   <u>Applicant's arguments on</u> (a) 35 U.S.C. §112 / 1st Paragraph rejection in view of

the affidavits submitted on 6/1/2007 and (b) 35 U.S.C. 102(e) rejections on claims 1 and

13 because Wasilewski does not teach 'selecting for encryption a plurality of digital bit

streams from a transport stream, the selecting performed using an identifier" <u>have been</u>

<u>fully considered but are not persuasive with the following rationale:</u>

- For argument (a), Applicant refers to the disclosure of the original

specification (i.e. Provisional 60/054,578: Page 28 Line 25-28 & SPEC: Page 27

Line 19 – 29) that indicates: "A subcategory of information can thus be identified by

the PID of its packets. As shown at output packets 707, the output from MUX704 is a

sequence of individual packets from the various subcategories. Any part or all of

MPEG-2 transport stream 701 may be encrypted". Examiner notes in view of the

Applicant's own remarks on Page 15 / 3rd Para that indicates: "Applicant respectfully

submits that using a PID is not necessarily present in the function of selecting a

program for encryption. There may be several ways to select which program to

encrypt. For instance, the position of the program in the transport stream could be

used for selecting the program. Therefore, it is not inherent that an identifier is used

to select which program(s) is (are) encrypted" (Remarks; Page 15, 3rd Para).

Accordingly, Examiner respectfully notes the original disclosure (as shown above)

only indicates "A subcategory of information can thus be identified by the PID of its

packets – i.e. using packet ID to identify a subcategory of information – and as such

is not necessarily present in the function of selecting a program for encryption using

PID – which is consistent with Applicant's own remarks (repeated herein again @

Remarks; Page 15, 3rd Para). Thereby, Examiner maintains the same position

regarding 35 U.S.C. §112 / 1st Paragraph rejection because the disclosure of the

instant application, at the time the invention was mad, does not necessarily include

the claim limitation "selecting for encryption a digital bit stream from a plurality of

digital bit streams using an identifier

- For argument (b), Examiner notes Wasilewski teaches one or more bit

streams of audio, video and data streams can be selected for encryption and each

basic service component / transport data stream has an unique identifier and as

such Wasilewski does teach "selecting for encryption a digital bit stream from a

plurality of digital bit streams using an identifier" because, for the purpose of

encryption, the selection of audio, video and data streams (i.e. the selection of the

medium type) can be based upon the predetermined packet identifier.

Objection

3.   The specification is objected to as failing to provide proper antecedent basis for

the claim amendment filed 8/1/2006 because selecting for encryption using packet

identifier is not specifically disclosed on one of the original specifications (Provisional

<u>60/054,575: Page 28 Line 25-28 & SPEC: Page 27 Line 16 – 26</u>). See 37

CFR 1.75(d)(1) and MPEP § 608.01(o).

4.   The specification is objected to as failing to provide proper antecedent basis for

the claim amendment filed 8/1/2006 because <u>selecting for encryption using packet</u>

<u>identifier</u> is not specifically disclosed on the 2nd one of the original specification (<u>U.S.</u>

<u>CIP Patent 5,742,677 filed 4/3/1995</u>). See 37 CFR 1.75(d)(1) and MPEP § 608.01(o).

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of
> making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to
> which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the
> best mode contemplated by the inventor of carrying out his invention.

5.   Claims 1 and 13 are rejected under 35 U.S.C. 112, first paragraph, as failing to

comply with the written description requirement. The claim(s) contains subject matter

which was not described in the specification in such a way as to support the alleged

claim limitation "<u>selecting for encryption based on an packet identifier</u>". According to (a)

one of the original disclosure of the specification (i.e. <u>Provisional 60/054,575: Page 28</u>

<u>Line 25-28 & SPEC: Page 27 Line 16 – 26</u>) that indicates "A subcategory of information

can thus be identified by the PID of its packets. As shown at output packets 707, the

output from MUX704 is a sequence of individual packets from the various

subcategories. <u>Any part or all of MPEG-2 transport stream 701 may be encrypted</u>".; and

(b) the 2nd one of the original specification (<u>U.S. CIP Patent 5,742,677 filed 4/3/1995).</u>

Therefore, "selecting for encryption based on an packet identifier" is not specifically

supported by <u>original disclosures of the instant application and claim limitations</u> and the

claims 1 and 13 were amended to include "selecting for encryption <u>based on an packet</u>

<u>identifier</u>" in the amendment filed <u>August 1, 2006</u> and is not considered as part of the

original CIP disclosures either from <u>Provisional 60/054,575</u> or from <u>U.S. CIP Patent</u>

<u>5,742,677</u>. Any other claims not addressed are also rejected accordingly by virtue of

their dependency.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created

doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to exclude" granted by a patent

and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11

F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225

USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA

1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*,

418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be

used to overcome an actual or provisional rejection based on a nonstatutory double

patenting ground provided the conflicting application or patent is shown to be commonly

owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a

terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

Claims 1 and 13 (& associated dependent claims) are provisionally rejected

under the judicially created doctrine of obviousness-type double patenting as being

unpatentable over claims 1 and 13 of copending Application No. 10/602,987. Although

the conflicting claims are not identical, they are not patentably distinct from each other

because claims 1 and 13 of the instant application are envisioned by the claims of

copending application that contain all the limitations of claims of the instant application

as a result of the amendment filed October 30, 2006 by the copending application to

add the claim limitation "selecting for encryption using PID" and as such are

unpatentable for obvious-type double patenting.

This is a provisional obviousness-type double patenting rejection because the

conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraph of 35 U.S.C. 102 that

forms the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed
publication in this or a foreign country, before the invention thereof by the applicant for a patent.
(b) the invention was patented or described in a printed publication in this or a foreign country or in public
use or on sale in this country, more than one year prior to the date of application for patent in the United
States.
(e) the invention was described in (1) an application for patent, published under section 122(b), by another
filed in the United States before the invention by the applicant for patent or (2) a patent granted on an
application for patent by another filed in the United States before the invention by the applicant for patent,

> except that an international application filed under the treaty defined in section 351(a) shall have the effects
> for purposes of this subsection of an application filed in the United States only if the international application
> designated the United States and was published under Article 21(2) of such treaty in the English language.

6.   Claims 1 – 22 are rejected under 35 U.S.C. 102(e) and 102(a) as being

anticipated by Wasilewski et al. (U.S. Patent 5,359,601) – as per filing date March 8,

1993 for 102(e) and per publication date October 25, 1994 for 102(a) rejections,

respectively.

As per claim 1 and 13, Wasilewski teaches a method for providing an instance

in a conditional access system, the method comprising the steps of:

selecting for encryption a digital bit stream from a plurality of digital bit streams

using an identifier (Wasilewski: Figure 1 and Column 4 Line 42 – 52 and Column 7

Line 10 – 35 / Line 6 – 9: one or more bit streams of audio, video and data streams

can be selected for encryption and each basic service component / transport data

stream has an unique identifier);

encrypting the selected digital bit stream according to a first level encryption

method to provide an encrypted instance (Wasilewski: Figure 1 and Column 4 Line 42

– 52 and Column 7 Line 10 – 35 / Line 6 – 9: (a) each basic service comprises a set of

one or more service components, such as video (V), audio (A), and data (CC) that can

be encrypted / or not-encrypted prior to transmission – i.e., any part of transport

stream can be encrypted and (b) the selection of audio, video and data streams (i.e.

the selection of the medium type) can be based upon the utilized packet identifier);

combining the encrypted instance with the plurality of digital bit streams to

provide a partially-encrypted bit stream (Wasilewski: Figure 1 and Column 4 Line 42 –

52 and Column 7 Line 10 – 35 / Line 6 – 9), and

transmitting the partially -encrypted bit stream (Wasilewski: Figure 1 and

Column 4 Line 42 – 52 and Column 7 Line 10 – 35 / Line 6 – 9: by multiplexing the

service component bit streams).

As per claim 13, Wasilewski teaches a method for providing a program in a

conditional access system, the method comprising the steps of:

selecting for encryption a program from a transport stream using an identifier

(Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 4 Line 35 – 44 and Column 7

Line 10 – 35 / Line 6 – 9: (a) one or more bit streams of audio, video and data streams

can be selected for encryption and each basic service component / transport data

stream has an unique identifier and (b) a basic service is a service program that has

service components video (V), audio (A) or data (CC) and (c) the selection of audio,

video and data streams (i.e. the selection of the medium type) can be based upon the

utilized packet identifier);

encrypting a portion of the program Wasilewski: Figure 1 and Column 4 Line 42 –

52);

combining the encrypted portion and the remaining portion of the program with

the transport stream (Wasilewski: Figure 1 and Column 4 Line 42 – 52 and Column 7

Line 10 – 35 / Line 6 – 9); and

transmitting the combined stream (Wasilewski: Figure 1 and Column 4 Line 42 –

52 and Column 7 Line 10 – 35 / Line 6 – 9: by multiplexing the service component bit

streams).

As per claim 2, 4, 14 and 15, Wasilewski teaches each of the plurality of digital

bit streams includes a packet identifier, and wherein the selecting step selects the

digital bit stream by identifying a predetermined packet identifier (Wasilewski: Figure 1

and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16 – 24 and Column 7 Line

10 – 35 / Line 6 – 9: (a) the system transmit multiplexed a plurality of service

components (i.e. video (V), audio (A) and data (CC)) in a packetized format of a

transport data stream (Column 5 Line 52 – 55) and (b) each of service components of

a basic service has an unique service component ID (Column 7 Line 10 – 35 / Line 6 –

9). Therefore, the service component ID within a packet is considered as a packet ID

– i.e. a packet identifier is indicative of at least one of service components such as a

video stream, an audio stream, and a data stream).

As per claim 3, Wasilewski teaches all of the selected digital bit stream is

encrypted according to the first level encryption method (Wasilewski: Figure 1 and

Column 4 Line 42 – 52: one or more service components, such as video (V), audio

(A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any

part of transport stream can be encrypted).

As per claim 5, Wasilewski teaches a portion of the selected digital bit stream is encrypted, wherein the encrypted portion and an unencrypted portion of the selected digital stream are combined with the plurality of digital bit streams (Wasilewski: Figure 1 and Column 4 Line 42 – 52: one or more service components, such as video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream can be encrypted).

As per claim 6, Wasilewski teaches the selected digital bit stream is a program (Wasilewski: Column 4 Line 35 – 44: a basic service is a service program that has service components V, A or CC).

As per claim 7, Wasilewski teaches the selected digital bit stream is an elementary digital bit stream (Wasilewski: Column 4 Line 35 – 44: a basic service is an elementary digital bit stream that has service components V, A or CC).

As per claim 8, Wasilewski teaches selecting more than one digital bit stream from the plurality of digital bit streams, wherein the more than one digital bit stream is identified by predetermined packet identifiers (Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16 – 24 and Column 7 Line 10 – 35 / Line 6 – 9).

As per claim 9, Wasilewski teaches each of the more than one digital bit stream includes a distinct packet identifier, wherein the selecting step selects the more than one digital bit stream by identifying at least one of the distinct packet

identifiers (Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 5 Line 51 – 55 /

Line 16 – 24 and Column 7 Line 10 – 35 / Line 6 – 9).

As per claim 10, Wasilewski teaches a portion of each of the more than one

digital bit stream is encrypted according to the first level encryption method

(Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16 –

24 and Column 7 Line 10 – 35 / Line 6 – 9: one or more service components, such as

video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to

transmission – i.e., any part of transport stream can be encrypted).

As per claim 11, Wasilewski teaches all of the more than one digital bit stream

is encrypted according to the first level encryption method (Wasilewski: Figure 1 and

Column 4 Line 42 – 52: one or more service components, such as video (V), audio

(A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e.,

any part of transport stream can be encrypted).

As per claim 12, Wasilewski teaches at least one of a portion of each of the

more than one digital bit stream and all of the more than one digital bit stream is

encrypted according to the first level encryption method (Wasilewski: Figure 1 and

Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16 – 24 and Column 7 Line 10

– 35 / Line 6 – 9: one or more service components, such as video (V), audio (A), and

data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of

transport stream can be encrypted).

As per claim 16, Wasilewski teaches the encrypted portion includes at least one

of the plurality of packets associated with the video stream (Wasilewski: Figure 1 and

Column 4 Line 42 – 52).

As per claim 17, Wasilewski teaches the at least one of the plurality of packets

is selected by the packet identifier indicative of the video stream (Wasilewski: Figure 1

and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16 – 24 and Column 7 Line

10 – 35 / Line 6 – 9).

As per claim 18, Wasilewski teaches the encrypted portion includes at least one

of plurality of packets associated with the audio stream (Wasilewski: Figure 1 and

Column 4 Line 42 – 52).

As per claim 19, Wasilewski teaches the at least one of the plurality of

packets is selected by the packet identifier indicative of the audio stream

(Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line

16 – 24 and Column 7 Line 10 – 35 / Line 6 – 9).

As per claim 20, Wasilewski teaches the encrypted portion includes at least

one of the plurality of packets associated with the data stream (Wasilewski: Figure 1

and Column 4 Line 42 – 52).

As per claim 21, Wasilewski teaches the at least one of the plurality of

packets is selected by the packet identifier indicative of the data stream

(Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column 5 Line 51 – 55 / Line 16

– 24 and Column 7 Line 10 – 35 / Line 6 – 9).

As per claim 22, Wasilewski teaches the encrypted portion includes at least one

of the plurality of packets associated with at least one of the video stream, the audio

stream, and the data stream (Wasilewski: Figure 1 and Column 4 Line 42 – 52, Column

5 Line 51 – 55 / Line 16 – 24 and Column 7 Line 10 – 35 / Line 6 – 9).

7.   Claims 1 – 22 are rejected under 35 U.S.C. 102(b) as being anticipated by

Wasilewski (U.S. Patent 5,418,782).

As per claim 1 and 13, Wasilewski teaches a method for providing an instance

in a conditional access system, the method comprising the steps of:

        selecting for encryption a digital bit stream from a plurality of digital bit streams

using an identifier (Wasilewski: Figure 1 and Column 4 Line 65 – Column 5 Line 7 and

Column 13 Line 65 – Column 14 Line 5: (a) one or more bit streams of audio, video

and data streams can be selected for encryption and besides, (b) each type of audio,

video and data streams is <u>uniquely</u> assigned a packet ID (PID) and as such

Wasilewski does teach selecting for encryption a digital bit stream from a plurality of

digital bit streams using an identifier – at least this prior-art rejection **is consistent**

with the disclosure of the original specification (i.e. Provisional 60/054,575: Page 28

Line 25-28 & SPEC: Page 27 Line 16 – 26) that indicates "A subcategory of

information can thus be identified by the PID of its packets. As shown at output

packets 707, the output from MUX704 is a sequence of individual packets from the

various subcategories. Any part or all of MPEG-2 transport stream 701 may be

encrypted" and (c) the selection of audio, video and data streams (i.e. the selection of

the medium type) can be based upon the utilized packet identifier);

encrypting the selected digital bit stream according to a first level encryption

method to provide an encrypted instance (Wasilewski: Column 4 Line 65 – 67: one or

more service components, such as video (V), audio (A), and data (CC) can be

encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream

can be encrypted);

combining tire encrypted instance with the plurality of digital bit streams to

provide a partially-encrypted bit stream (Wasilewski: Figure 1 Element 16 and Column

4 Line 65 – 67), and

transmitting the partially -encrypted bit stream (Wasilewski: Figure 1 Element 16

and Column 5 Line 4 – 15: by multiplexing the service component bit streams).

As per claim 2, 4, 14 and 15, Wasilewski teaches each of the plurality of digital

bit streams includes a packet identifier, and wherein the selecting step selects the

digital bit stream by identifying a predetermined packet identifier (Wasilewski: Column

13 Line 57 – Column 14 Line 16 and Figure 1 Element 16).

As per claim 3, Wasilewski teaches all of the selected digital bit stream is encrypted according to the first level encryption method (Wasilewski: Column 4 Line 65 – 67: one or more service components, such as video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream can be encrypted).

As per claim 5, Wasilewski teaches a portion of the selected digital bit stream is encrypted, wherein the encrypted portion and an unencrypted portion of the selected digital stream are combined with the plurality of digital bit streams (Wasilewski: Column 4 Line 65 – 67: one or more service components, such as video (V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of transport stream can be encrypted).

As per claim 6, Wasilewski teaches the selected digital bit stream is a program (Wasilewski: Column 13 Line 57 – Column 14 Line 16).

As per claim 7, Wasilewski teaches the selected digital bit stream is an elementary digital bit stream (Wasilewski: Column 13 Line 57 – Column 14 Line 16).

As per claim 8, Wasilewski teaches selecting more than one digital bit stream from the plurality of digital bit streams, wherein the more than one digital bit stream is

identified by predetermined packet identifiers (Wasilewski: Column 13 Line 57 –

Column 14 Line 16 and Figure 1).

As per claim 9, Wasilewski teaches each of the more than one digital bit

stream includes a distinct packet identifier, wherein the selecting step selects the

more than one digital bit stream by identifying at least one of the distinct packet

identifiers (Wasilewski: Column 13 Line 57 – Column 14 Line 16 and Figure 1).

As per claim 10, Wasilewski teaches a portion of each of the more than one

digital bit stream is encrypted according to the first level encryption method

(Wasilewski: Column 4 Line 65 – 67: one or more service components, such as video

(V), audio (A), and data (CC) can be encrypted / or not-encrypted prior to

transmission – i.e., any part of transport stream can be encrypted).

As per claim 11, Wasilewski teaches all of the more than one digital bit stream

is encrypted according to the first level encryption method (Wasilewski: Column 4

Line 65 – 67: one or more service components, such as video (V), audio (A), and

data (CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of

transport stream can be encrypted).

As per claim 12, Wasilewski teaches at least one of a portion of each of the

more than one digital bit stream and all of the more than one digital bit stream is

encrypted according to the first level encryption method (Wasilewski: Column 4 Line

65 – 67: one or more service components, such as video (V), audio (A), and data

(CC) can be encrypted / or not-encrypted prior to transmission – i.e., any part of

transport stream can be encrypted).

As per claim 16, Wasilewski teaches the encrypted portion includes at least one

of the plurality of packets associated with the video stream (Wasilewski: Column 4

Line 65 – 67 and Figure 1).

As per claim 17, Wasilewski teaches the at least one of the plurality of packets

is selected by the packet identifier indicative of the video stream (Wasilewski: Column

13 Line 57 – Column 14 Line 16 and Column 4 Line 65 – 67 and Figure 1).

As per claim 18, Wasilewski teaches the encrypted portion includes at least one

of plurality of packets associated with the audio stream (Wasilewski: Column 13 Line

57 – Column 14 Line 16 Column 4 Line 65 – 67 and Figure 1).

As per claim 19, Wasilewski teaches the at least one of the plurality of

packets is selected by the packet identifier indicative of the audio stream

(Wasilewski: Column 13 Line 57 – Column 14 Line 16 Column 4 Line 65 – 67 and

Figure 1).

As per claim 20, Wasilewski teaches the encrypted portion includes at least

one of the plurality of packets associated with the data stream (Wasilewski: Column

13 Line 57 – Column 14 Line 16 Column 4 Line 65 – 67 and Figure 1).

As per claim 21, Wasilewski teaches the at least one of the plurality of packets is selected by the packet identifier indicative of the data stream (Wasilewski: Column 13 Line 57 – Column 14 Line 16 Column 4 Line 65 – 67 and Figure 1).

As per claim 22, Wasilewski teaches the encrypted portion includes at least one of the plurality of packets associated with at least one of the video stream, the audio stream, and the data stream (Wasilewski: Column 13 Line 57 – Column 14 Line 16 Column 4 Line 65 – 67 and Figure 1).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.
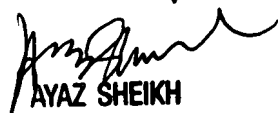
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Longbit Chai whose telephone number is 571-272-3788. The examiner can normally be reached on Monday-Friday 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz R. Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Longbit Chai
Examiner
Art Unit 2131

LBC

AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100